

Special Notation = The Defendants intentionally held this Mail from, This Court, for 10-Days, See-Signed Envelope, Dated, 10-19-20 by Mail Room Staff, and they knew the Plaintiff was eligible for Care's Act;

Attachment A - Bivens Complaint form

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA

David Hall Cumm

05361-016

(Enter above the full name of the plaintiff
or plaintiffs in this action)

(Inmate Reg. # of each Plaintiff)

v.

CIVIL ACTION NO. 5:20-00655
(Number to be assigned by Court)

Warden, D. L. Young:
Case Manager- Jim Craddock:
Supervisor Case Man. Mrs. O. Dell:
Unit Manager Mrs. Stimpson:

(Enter above the full name of the defendant
or defendants in this action)



Defendant(s).

COMPLAINT

I. Parties

A. Name of Plaintiff:

David Hall Cumm

Inmate No.:

05361-016

Address:

F.C.I. Beckley, P.O. Box 350,
Beaver, W. V. (25813)

Special Notation = Defendant, Mr. Jim Craddock - Caremanager,
Pulled the subject, Documentation, Points, Sheet, off of his Computer,
in front of me, in February of this year, the Plaintiff told him that,
information was wrong, and not accurate to which he not only didn't,
give the Plaintiff a copy, he refused to take it, Directly to the Warden

- B. Additional Plaintiff(s) (provide the same information for each plaintiff as listed in Item A above).

Name of Plaintiff: David Hall Cum

Inmate No.: 05361-016

Address: F.C.I. Beckley, P.O. Box 350,
Beaver, W.V. (25813)

Name of Plaintiff: _____

Inmate No.: _____

Address: _____

- C. Name of Defendant: D. L. young;

Position: Warden;

Place of Employment: F.C.I. Beckley, W.V. (25813)

- D. Additional Defendant(s) (provide the same information for each defendant as listed in Item C above):

Name of Defendant: Jim Craddock;

Position: Case-Manager-Pine-A-Rover;

Place of Employment: F.C.I. Beckley, W.V. (25813)

Name of Defendant: Mrs. O. Dell;

Position: Supervisor-Case-Man. Coordinator;

Place of Employment: F.C.I. Beckley, W.V. (25813)

(Defendant) - Unit Manager Stimpson - same address,
as above.

II. Place of Present Confinement

Name of Prison/Institution: F.C.I. Beckley, W.V. (25813)

A. Is this where the events concerning your complaint took place?

Yes ☒ No ☐

If you answered "no," where did the events occur? N/A

B. Is there a prisoner grievance procedure in this institution?

Yes ☒ No ☐

C. Did you present the facts relating to your complaint in the prisoner grievance procedure? Yes ☒ No ☐

If you answered "no," explain why not: N/A

If you answered "yes," what was the result at level one, level two and level three (attach grievances and responses): It was on, Pause, Pursuant to intervention by Asst. Warden - See Enclosed Exhibit A

III. Previous Lawsuits

A. Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise related to your imprisonments?

Yes ☒ No ☐

B. If your answer to A is "yes," describe the lawsuit in the space below. If there is more than one lawsuit, describe the additional lawsuits on another piece of paper using the same outline.

1. Parties to the previous lawsuit:

Plaintiff(s): David Hall Cum

Defendant(s): federal Bureau of Prisons, District of Columbia, Gov.

2. Court (if federal court, name the district; if state court, name the county);

(U.S. District Court for District of Columbia)

3. Docket Number: not yet, just filed!

4. Name of judge to whom case was assigned: not yet!

5. Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?)

Not Processed yet!

6. Approximate date of filing lawsuit: (two weeks ago!)

7. Approximate date of disposition: N/A

IV. Statement of Claim

State here, as briefly as possible, the facts of your case. Describe what each defendant did to violate your constitutional rights. Include also the names of other persons involved, dates, and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets of paper if necessary.)

The Plaintiff-Petitioner, is, trying to show, a, Clear, and, Ongoing Pattern, of, intentional, injustice, (fake-Confinement, and, Cruel, and Unusual, Punishments, inflicted, going back nearly 20-years) (but, will, describe, what, these Defendants, have, Done)
: D.L. Young, allowed, the, Casemanagement, Coordinators, Office, through, Ms. Dell, and, or, other, workers, in that, Office, to, Directly, retaliate, against, the Plaintiff, for, a Habeas Corpus, filing, against, one, of their ~~friends~~ friends, about, (15) years ago, at this institution, (a Mr. Michael Snow)
Ms. O, Dell, and, her, Party, intentionally, falsified, Documents, placing, the ④ Plaintiff, here, at, Beckly, illegally, depriving, him, of, Pre-release, status, and, placing, his, life, in, danger, because, there, was, no, Medical records, that, followed! Mr. Craddock, and, Ms. Spempson, supported, this!

V. **Relief** : The Plaintiff, is, in, fact, seeking, at, lease, 50,000
(fifty, thousand, Dollars), from, each, of, the, Defendants.

State briefly and exactly what you want the Court to do for you. Make no legal arguments.
Cite no cases or statutes.

Order, a trial, and, or, Hearing, for, the, specific,
U.S. Constitutional Violations, Pursuant, to, the
8th Amendment, (Cruel and Unusual Punishments) and,
Constitutional Due Process of Law, and Equal Protections;
Grant, a, significant, Cash, Compensation, for,
the Mental Sufferings, and, unlawful, Deprivations;

Signed this 20th day of October, 20 20.

Mr. David Hall Crum

Signature of Plaintiff or Plaintiffs

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 10-20-20
(Date)

David Hall Crum

Signature of Plaintiff

(Special Notation)

5

The, Defendants, used, federal, regulations, to, thereby, illegally, maximize,
punishments, against, a, D.C. Code, offender, without, Authorization, from, the,
Capital Revitalization and Self-Government Improvement Act of 1997; But, won't,
allow, us, their, federal Half-Way House's;

PSCD

Page 1 of 1

(Evidence - Exhibit - C)

BECH8 540.23 * SENTENCE MONITORING * 12-11-2019
PAGE 007 * COMPUTATION DATA * 15:02:35
AS OF 12-11-2019

REGNO...: 05361-016 NAME: CRUM, DAVID HALLCOMP NO: 050 ALL CURR COMPS(Y/N): Y ALL PRIOR COMPS(Y/N): NFUNC...: DIS

EARLIEST DATE OF OFFENSE.....: 01-10-2018

JAIL CREDIT.....	FROM DATE	THRU DATE
	01-10-2018	01-15-2018
	03-19-2019	10-14-2019

TOTAL PRIOR CREDIT TIME.....: 216

TOTAL INOPERATIVE TIME.....: 0

TOTAL GCT EARNED AND PROJECTED...: 162

TOTAL GCT EARNED.....: 0

STATUTORY RELEASE DATE PROJECTED: 10-01-2021

EXPIRATION FULL TERM DATE.....: 03-12-2022

G0002 MORE PAGES TO FOLLOW . . .

Respectfully submitted, Mr. David Hall Crum:

(Memorandum) Exh. A (2-10-20)

(This inmate was placed here fraudulently in the first place)

Legal Memorandum, In Support of A Program Transfer, Pursuant to, The Re-Entry Source Book - first Edition, Produced By, The federal Bureau of Prisons, in Wash. D.C., And F.C.I. Ray Brook, Concerning, U.S. Department of Justice - Re-entry Programs, and Initiatives - Page-7, and Re-Entry Legislation - Second Chance Act, Overview - Page-9;

Additionally, see - United States title - V - Second Chance Act of 2007, Reauthorization, Section 501, this title may be cited as the Second Chance Reauthorization Act of 2018;

Section - 502 - Improvements to Existing Programs;
(a) Grant Authorization (A)

from = Mr. David Hall Crum, to, The Unit Manager, of Pine - A - Lower, and The Asst. Warden of Programs, Ms. M. Arviza:

This, specific, Legislation, signed into, Law, By, Both, President Trump, and, the Congress of the United States, Enhancing, the Provisions of The B.O.P. Compassionate Release, Mandates, that, Mr. Crum, at, almost (66) years old, and within (18) Months, left, to serve, be, transferred, to F.C.I. Petersburg, Va., to, be, closer, to, his Release Area, (Wash. D.C.), and, have, access, to, Maximized Resources, and Communications, with, his, Social Workers who, are, Based, in Wash. D.C.; and, his Housing and finance situation!

Exhibit - A

:6- Pages- 3- Copies Each:

They knew about the 2/3rd's Date of 10-1-20.

they had no intentions,
of giving a year Half-Way
House, Period;

Individualized Reentry Plan - Program Review (Inmate Copy)

SEQUENCE: 00011612

Dept. of Justice / Federal Bureau of Prisons

Team Date: 06-25-2020

Plan is for inmate: CRUM, DAVID HALL 05361-016

(This was signed in August 2020)

Facility: BEC BECKLEY FCI
 Name: CRUM, DAVID HALL
 Register No.: 05361-016
 Age: 66
 Date of Birth: 05-05-1954

Proj. Rel. Date: 10-01-2021
 Proj. Rel. Mthd: GCT REL
 DNA Status: BEC02600 / 06-20-2008

Detainers

Detaining Agency	Remarks
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NO DETAINER

Current Work Assignments

Fac	Assignment	Description	Start
BEC	PAL ORD PM	PINE A LOWER PM DETAIL	01-23-2020

Current Education Information

Fac	Assignment	Description	Start
BEC	ESL HAS	ENGLISH PROFICIENT	07-17-1991
BEC	GED HAS	COMPLETED GED OR HS DIPLOMA	06-01-1991

Education Courses

SubFac	Action	Description	Start	Stop
BEC	C	RPP 2 EMPLOYMENT SKILLS	04-22-2020	04-22-2020
BEC	C	RPP 1 HEALTH AND NUTRITION	04-22-2020	04-22-2020
BEC	C	RPP 1 DISEASE PREVENTION	04-22-2020	04-22-2020
BEC	C	RPP 4 HALFWAY HOUSE REGS	04-22-2020	04-22-2020
BEC	C	RPP 6 COPING SKILLS	04-22-2020	04-22-2020
BEC	C	RPP 3 PERSONAL BUDGETING	04-22-2020	04-22-2020
BEC	C	RPP 3 CHECKING AND SAVINGS	04-22-2020	04-22-2020
BEC	C	RPP 4 US PROBATION	04-22-2020	04-22-2020
BEC	C	RPP 5 RELEASE METHODS	04-22-2020	04-22-2020
BEC	C	TRANSPORTATION AND GRATUITY	12-16-2008	12-16-2008
BEC	C	INTRO TO BRAVE 0830 & 1330	12-10-2002	12-12-2002
LVN	C	PRE-RELEASE CLASS INSIDE	11-12-1991	11-16-1991
LEW	C	PRE IND METL 8-3PM M-F TULE	01-25-1988	02-10-1988
null	C	ADULT BASIC EDUCATION	10-12-1982	01-19-1983

Discipline History (Last 6 months)

Hearing Date	Prohibited Acts
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** NO INCIDENT REPORTS FOUND IN LAST 6 MONTHS **

Current Care Assignments

Assignment	Description	Start
CARE1	HEALTHY OR SIMPLE CHRONIC CARE	02-10-2005
CARE1-MH	CARE1-MENTAL HEALTH	12-18-2019

Current Medical Duty Status Assignments

Assignment	Description	Start
HGT RESTR	NO LADDERS/NO UPPER BUNK	01-02-2020
LOWER BUNK	LOWER BUNK REQUIRED	02-03-2020
MED HOLD	MEDICAL HOLD - DO NOT TRANSFER	03-03-2020
NO PAPER	NO PAPER MEDICAL RECORD	12-11-2019
REG DUTY	NO MEDICAL RESTR--REGULAR DUTY	12-11-2019
SOFT SHOES	SOFT SHOES ONLY	02-03-2020
YES F/S	CLEARED FOR FOOD SERVICE	12-11-2019

Current Drug Assignments

Assignment	Description	Start
ED WAIT RJ	DRUG EDUCATION WAIT-RQ JUDREC	12-05-2019

FRP Details

Sentry Data as of 07-02-2020

Individualized Reentry Plan - Program Review (Inmate Copy)

Page 1 of 3

(Exhibit-B-1)

(Evidence - Exhibit - 2)

**Individualized Reentry Plan - Program Review (Inmate Copy)**

SEQUENCE: 00011612

Dept. of Justice / Federal Bureau of Prisons

Team Date: 06-25-2020

Plan is for inmate: CRUM, DAVID HALL 05361-016

Most Recent Payment PlanFRP Assignment: **REFUSE** **FINANC RESP-REFUSES** Start: 06-12-2020Inmate Decision: **AGREED** **\$25.00** Frequency: **QUARTERLY**Payments past 6 months: **\$0.00** Obligation Balance: **\$200.00****Financial Obligations**

No.	Type	Amount	Balance	Payable	Status
1	COST DC	\$100.00	\$100.00	IMMEDIATE	WAIT PLAN
** NO ADJUSTMENTS MADE IN LAST 6 MONTHS **					
2	COST DC	\$100.00	\$100.00	IMMEDIATE	WAIT PLAN
** NO ADJUSTMENTS MADE IN LAST 6 MONTHS **					

Payment DetailsTrust Fund Deposits - Past 6 months: **\$57.00**Payments commensurate ? **Y**

New Payment Plan:

** No data **

Progress since last review

Program Review, Custody Update, Work - Unit Orderly, GED earned, Cost Assessment \$200.00, no unit management concerns noted. (Consider RRC Placement.....)

Next Program Review Goals

Unit Team recommended to enroll into a Dave Ramsey Financial Peace Class by 07-01-2020. Progress - No class to date. However, due to COVID 19 and National Lock Mandates Unit Team recommends to complete Dave Ramsey Financial Peace class by 12-21-2020.

Long Term Goals

Obtain A Social Security Card and Birth Certificate prior to release date of 10-01-2021.

RRC/HC Placement

Recommended Placement in range greater than 270 days.

Consideration has been given for Five Factor Review (Second Chance Act):

- Facility Resources : there are limited in his release area
- Offense : He is a serving an eleven month sentence
- Prisoner : earned GED
- Court Statement : No statements from courts
- Sentencing Commission : No guidelines to sentencing commission.

Comments

** No notes entered **